

Amendments to House Bill No. 628
1st Reading Copy

Requested by Representative Ken Peterson

For the House Natural Resources Committee

Prepared by Todd Everts
February 22, 2007 (9:18am)

1. Title, line 5.

Following: "TANKS;"

Insert: "ASSESSING AN ELIGIBILITY FEE;"

2. Title, line 6.

Following: "75-11-308,"

Strike: "AND"

Following: "75-11-309,"

Insert: "AND 75-11-313,"

3. Page 4, line 4.

Following: "property"

Insert: "and the current owner of the property has paid an eligibility fee of \$150 to the board to be deposited in the petroleum tank release cleanup fund pursuant to 75-11-313"

4. Page 7, line 21.

Insert: "**Section 4.** Section 75-11-313, MCA, is amended to read:

"75-11-313. Petroleum tank release cleanup fund. (1) There is a petroleum tank release cleanup fund in the state special revenue fund established in 17-2-102. The fund is administered as a revolving fund by the board and is statutorily appropriated, as provided in 17-7-502, for the purposes provided for under subsections (3)(c) and (3)(d). Administrative costs under subsections (3)(a) and (3)(b) must be paid pursuant to a legislative appropriation.

(2) There is deposited in the fund:

(a) all revenue from the petroleum storage tank cleanup fee as provided in 75-11-314;

(b) money received by the board in the form of gifts, grants, reimbursements, or appropriations, from any source, intended to be used for the purposes of this fund;

(c) money appropriated or advanced to the fund by the legislature;

(d) all revenue received from the eligibility fee as provided in 75-11-308(1)(b)(iii);

~~(d)~~ (e) money loaned to the board by the board of investments; and

~~(e)~~ (f) all interest earned on money in the fund.

(3) As provided in 75-11-318, the fund may be used only:

(a) to administer this part, including payment of board expenses associated with administration;

(b) to pay the actual and necessary department expenses associated with administration;

(c) to reimburse owners and operators for eligible costs caused by a release from a petroleum storage tank and approved by the board; and

(d) for repayment of any advance and any loan made pursuant to 17-6-225, plus interest earned on the advance or loan.

(4) Whenever the board accepts a loan from the board of investments pursuant to 17-6-225, the receipts from the fees provided for in 75-11-314 in each fiscal year until the loan is repaid are pledged and dedicated for the repayment of the loan in an amount sufficient to meet the repayment obligation for that fiscal year."

{ Internal References to 75-11-313:

17-7-502 x 75-11-302 x 75-11-312x } "

Renumber: subsequent sections

- END -

Amendments to House Bill No. 628
1st Reading Copy

Requested by Representative Ken Peterson

For the House Natural Resources Committee

Prepared by Todd Everts
February 23, 2007 (10:50am)

1. Page 1, line 13.

Strike: "(5)"

Insert: "(6)"

2. Page 2, line 21.

Strike: "(5)"

Insert: "(6)"

3. Page 3, line 5.

Following: "property"

Insert: "as defined in 75-11-302(19)(a)(ii)"

4. Page 3.

Following: line 16

Insert: "(5) If a release is eligible for reimbursement under both subsections (4)(a) and (4)(b), only the reimbursement provisions of subsection (4)(b) apply."

Renumber: subsequent subsection

5. Page 7, line 26.

Following: "property"

Insert: "as defined in 75-11-302(19)(a)(ii)"

- END -